

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**DAVID TYLER MOSS AND BRANDON  
KEATING,**

§

**Plaintiffs,**

§

**CIVIL ACTION NO.  
3:13-cv-4027- BN**

**vs.**

**MARKO PRINCIP, Individually,  
d/b/a VIDEOGAMES YOUTUBE CHANNEL  
d/b/a ACHEIVEMENT GUIDE  
d/b/a GAME GUIDE, LLC AND BRIAN MARTIN**

§

**Defendants.**

§

**DEFENDANT’S AMENDED NOTICE OF REMOVAL AND DEMAND FOR JURY  
TRIAL**

TO THE HONORABLE UNITED STATES JUDGE:

Pursuant to 28 U.S.C. § 1332(a), Defendants MARKO PRINCIP and BRIAN MARTIN in Cause No. 14-02545 in the 191<sup>st</sup> Judicial District Court Dallas county, Texas files this Notice of Removal from that Court to the United States District Court for the Northern District of Texas, Dallas Division on the basis of diversity of citizenship.

In support of this Brief, Defendants show as follows:

1. Plaintiffs’ First Amended Petition and Application for Temporary Restraining Order is attached as **Exhibit A**
2. Plaintiff BRANDON KEATING is a resident of Illinois as alleged in his pleading.
3. Defendant BRIAN MARTIN is a resident of California as alleged in Plaintiff’s First Amended Petition.

4. Defendants were first served with Plaintiffs' First Amended Petition and Application for Temporary Restraining Order on 08/27/2014.

5. Venue is proper in this United States District Court under 28 U.S.C. § 446(a) because this District and Division include this county in which the state action has been pending and because a substantial part of the events giving rise to Plaintiff's claims allegedly occurred in this District and Division.

6. Pursuant to 28 U.S.C. § 1446(d), a true and correct copy of this Amended Notice of Removal will be filed with the Clerk of the Dallas County District Court promptly after Defendants file this Amended Notice.

7. Defendants demand a jury trial

8. Pursuant to FRCP 1, 702 and the authority cited above, Plaintiffs respectfully request this Honorable Court to DENY defendant Allstate's Motion to Strike Expert Witness Plaintiffs Attorney Robert D. Wilson and grant Plaintiffs request to "withdraw" Brian Rice from Expert Designation as requested; and for all other relief the Court deems just.

WHEREFORE PREMISES CONSIDERED, Defendants MARKO PRINCIP and BRIAN MARTIN, pursuant to the above statutes and authority, hereby removes the case styled *David Tyler Moss and Brandon Keating v. MARKO PRINCIP, Individually, d/b/a VIDEOGAMES YOUTUBE CHANNEL d/b/a ACHEIVEMENT GUIDE d/b/a GAME GUIDE, LLC AND BRIAN MARTIN*, Cause No. 14-02545 and shall promptly give the adverse party written notice of the filing of this Notice of Removal.

Respectfully submitted,  
LAW OFFICES OF ROBERT D. WILSON, P.C.

Dated: 08/28/2014

By: /s/ *Robert D. Wilson*  
Robert D. Wilson

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### **CERTIFICATE OF SERVICE**

I hereby certify that on this 28th day of August 2014 in compliance with the Federal Rules of Civil Procedure, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filings to the following attorneys who are known to represent the United States of America and the corresponding parties.

/s/ Robert D. Wilson

Robert D. Wilson, Attorney for Defendants

### **For Plaintiffs**

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